

REMARKS

Claims 1 and 3-37 are pending in the patent application.

1. THE NEW MATTER ASSERTION

In numbered paragraph 1 of the Office Action, the Examiner asserts that claims 34-37 introduced new matter. An amendment to a claim which would allegedly not conform to the disclosure of an application as filed is not properly rejected or objected to on the ground of new matter. Instead, the concept of “new matter” is properly employed as a basis for objection to amendments to the abstract, specification, or drawings attempting to add new disclosure to that originally presented. *In re Rasmussen*, 650 F.2d 1212, 211 USPQ 323 (CCPA 1981). Therefore, assertions of claim scope relative to the original disclosure are properly characterized as issues of written description under 35 U.S.C. § 112, first paragraph.

Applicant traverses this assertion and maintains that this subject matter is supported by the original disclosure, which includes the claims. It is noted that “‘a’ or ‘an’ in patent parlance carries the meaning of ‘one or more’ in open-ended claims containing the transitional phrase ‘comprising.’” *KCJ Corp. v. Kinetic Concepts, Inc.*, 223 F.3d 1351, 1356 (Fed. Cir. 2000). Thus, for example, the original claims include therewithin the subject matter now recited in claims 34-37.

2. THE 35 U.S.C. § 112 REJECTION

Claims 8, 15, 23, 31 and 34-37 are being rejected under 35 U.S.C. § 112, 1st paragraph as failing to comply with the enablement requirement. This rejection is traversed.

The standard for determining whether the specification meets the enablement requirement was cast in the Supreme Court decision of *Mineral Separation v. Hyde*, 242 U.S. 261, 270 (1916)

which postured the question: is the experimentation needed to practice the invention undue or unreasonable? That standard is still the one to be applied. *In re Wands*, 858 F.2d 731, 737, 8 USPQ2d 1400, 1404 (Fed. Cir. 1988). Accordingly, even though the statute does not use the term “undue experimentation,” it has been interpreted to require that the claimed invention be enabled so that any person skilled in the art can make and use the invention without undue experimentation. *In re Wands*, 858 F.2d at 737, 8 USPQ2d at 1404 (Fed. Cir.1988). *See also United States v. Telectronics, Inc.*, 857 F.2d 778, 785, 8 USPQ2d 1217, 1223 (Fed. Cir. 1988) (“The test of enablement is whether one reasonably skilled in the art could make or use the invention from the disclosures in the patent coupled with information known in the art without undue experimentation.”).

A patent need not teach, and preferably omits, what is well known in the art. *In re Buchner*, 929 F.2d 660, 661, 18 USPQ2d 1331, 1332 (Fed. Cir.1991)(emphasis added); *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1384, 231 USPQ 81, 94 (Fed. Cir. 1986), *cert denied*, 480 U.S. 947 (1987) (*holding* the description need only describe in detail that which is new or not conventional); and *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1463, 221 USPQ 481, 489 Fed. Cir. 1984). Using, for the sake of argument, the art cited by the Examiner, Inoue (1998) shows reel-in-reel technology well known in the art at the time of the filing of the application (2001). Since reel-within-reel technology was well known in the art, its inclusion within the present application was not only unnecessary to disclose, but was preferably and properly omitted. *See, e.g., In re Buchner, supra*. Similarly, the art is replete with examples of wagering gaming machines using various devices and techniques (e.g., strobes) to create various visual effects, as well as using different types of lighting and

surfaces to highlight, reveal, hide, or obscure various objects. As admitted by the Examiner, the present concepts are amply enabled by the video-display based example disclosed in the specification. It is submitted that one of ordinary skill in the art would have been able to apply the novel and non-obvious concepts disclosed by the inventors to conventional well known technology without undue experimentation. It is further noted that the Examiner's statements in numbered paragraph 12, are irrelevant to the enablement inquiry under 35 U.S.C. § 112, 1st paragraph.

As to the rejection of claims 34-37 under 35 U.S.C. § 112, 1st paragraph for lack of enablement, Applicant notes that the written description requirement is separate and distinct from the enablement requirement. *See, e.g., In re Barker*, 559 F.2d 588, 194 USPQ 470 (CCPA 1977), *cert. denied*, 434 U.S. 1064 (1978); *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1562, 19 USPQ2d 1111, 1115 (Fed. Cir. 1991). The Examiner's comments on possible claim interpretations and specification disclosure, traversed herein, are not relevant to or dispositive of the test of *enablement* (i.e., whether one reasonably skilled in the art could make or use the invention from the disclosures in the patent coupled with information known in the art without undue experimentation). The Examiner has failed to set forth a *prima facie* case of lack of enablement under 35 U.S.C. § 112, 1st paragraph and this rejection is traversed. Reconsideration and withdrawal are requested.

3. THE 35 U.S.C. § 101 REJECTION

The Examiner rejected claims 8, 15, 23, 31 and 34-37 under 35 U.S.C. § 101 "because the disclosed invention is inoperative and therefore lacks utility." This rejection is traversed.

If a claim defines a useful machine or manufacture by identifying the physical structure of the machine or manufacture in terms of its hardware or hardware and software combination, it defines a statutory product. See, e.g., *Lowry*, 32 F.3d at 1583, 32 USPQ2d at 1034-35; *Warmerdam*, 33 F.3d at 1361-62, 31 USPQ2d at 1760.

Office personnel must treat each claim as a whole. The mere fact that a hardware element is recited in a claim does not necessarily limit the claim to a specific machine or manufacture. Cf. *In re Iwahashi*, 888 F.2d 1370, 1374-75, 12 USPQ2d 1908, 1911-12 (Fed. Cir. 1989), cited with approval in *Alappat*, 33 F.3d at 1544 n.24, 31 USPQ2d at 1558 n.24.

The Examiner has acknowledged that “[t]he specification clearly enables these independent claims for the video display embodiment” (Office Action, page 6, numbered paragraph 11). The Examiner has acknowledged the ample written description for the video display embodiment (Office Action, page 5, numbered paragraph 11). In view of the requirements for setting forth statutory subject matter, the claims have set forth statutory subject matter. The mere hypothesis of some embodiment which the Examiner believes to be non-functional, fails to treat each claim as a whole and instead attempts to improperly limit the claim to a specific machine conjured up by the Examiner.

Reconsideration and withdrawal of this rejection is requested.

4. THE 35 U.S.C. § 103 REJECTION OVER DAVIES AND WALKER

Claims 1-4, 7-11, 14-19, 22-27 and 30-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **Davies** (GB 2 330 936) in view of Walker et al. (U.S. 6,095,921) (hereinafter “**Walker**”). This rejection is respectfully traversed.

The Examiner alleges **Davies** discloses all of the elements of claim 1, but acknowledges that **Davies** does not teach a continuous graphical element extending between adjacent ones of the discrete symbols such that the discrete symbols are unified by the graphical element. **Walker** is relied upon for a teaching of a continuous graphical element (*citing* FIGS. 4B-C). The Examiner asserts that the combination of the device of **Davies** with the alleged continuous graphical element **Walker** would have been obvious at the time of the invention to one of ordinary skill in the art. This combination would yield, according to the Examiner, “a slot machine with the continuous graphical element on the inner band and a plurality of discrete symbols on the outer band” which would “allow the reel to rotate the continuous graphical element at a first velocity and the symbols at a second velocity.” The Examiner further asserts that the continuous graphical element would cover the entire width of the inner band (*citing* **Walker**, FIGS. 4B-C) extending between and visually unifying the symbols (*citing* **Walker**, FIG. 4A). This combination would purportedly “stimulate players’ interest in the game by providing a visual contrast by having an inner band with a continuous background (graphical element), and a transparent outer band with symbols superimposed over the background.” The continuous background is asserted to “provide an appealing contrast without interfering with the player’s ability to clearly see the symbols.”

A. ALL ELEMENTS NOT TAUGHT OR SUGGESTED

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970); *see also In re Ochiai*, 71 F.3d 1565, 1572

(Fed. Cir. 1995)(*stating* “[w]hen evaluating the scope of a claim, every limitation in the claim must be considered”).

Applicant submits that the proffered combination of **Davies** and **Walker** fails to teach or suggest a continuous graphical element extending between adjacent ones of the discrete symbols such that the discrete symbols are unified by the graphical element (claims 1, 18) or a continuous graphical element extending between adjacent ones of the discrete symbol positions such that the discrete symbol positions are unified by the graphical element (claims 9, 25).

Davies teaches a reel comprising an outer reel (*e.g.*, 2) and an inner reel (*e.g.*, 1), as shown in FIG. 1. The assembly has “two symbol-bearing endless bands one within the other and movable around their own loops, the outer one having a transparency that makes the portion presented to the player, *when movement ceases*, display an overlay of one symbol over another” (col. 2, lines 4-8)(emphasis added). **Davies** further teaches, for example, that “the outer, transparent reel band will have opaque numbers, letters or symbols on it that will generally not completely mask the symbols on the inner reel band” so that “[t]he player may see on the win line, for example, a bunch of cherries overlaid by the numeral 7” (page 3, lines 3-7).

The cited portion of **Walker** teaches that the conventional symbols have been *replaced* with an indicium 418 representing a visual continuum of values, in this case, width, such that an infinite number of positions may be represented by the reel (col. 6, lines 11-25). As shown in FIG. 6, the value displayed in reel width display 208 indicates the width of reel strip 132 at the point at which it intersects payline 235. The value displayed in total width display 214 is the total width of all three reel strips and indicates the outcome of the slot play (*e.g.*, a total width of 2.950 inches corresponds to a payout of ten coins for each coin wagered) (col. 8, lines 10-18).

Davies' teaching of a reel comprising an outer reel (e.g., 2) and an inner reel (e.g., 1), as shown in FIG. 1, even in combination with the asserted indicium 418 of **Walker** is still legally and factually insufficient to render obvious the independent claims 1, 9, 18 and 25, or claims depending therefrom. The indicium 418 of **Walker** (i.e., the graphics on the inner reels) does not extend between adjacent discrete symbols and, instead, replaces symbols entirely. Moreover, even in the context of the claimed combination, the indicium 418 of **Walker** would not "unify" the discrete symbols or discrete symbol positions borne by the reel. In other words, the indicium 418 of **Walker** is not a continuous graphical element extending between adjacent ones of the discrete symbols such that the discrete symbols are unified by the graphical element (e.g., claim 1, see also claim 18), or a continuous graphical element extending between adjacent ones of the discrete symbol positions such that the discrete symbol positions are unified by the graphical element (e.g., claim 9, see also claim 25).

Not only must every limitation of the claim be evaluated in ascertaining the proper scope of the claim, but claims must also be read as they would be interpreted by those of ordinary skill in the art. *In re Sneed*, 710 F.2d 1544, 218 USPQ (Fed. Cir. 1983). The claimed continuous graphical element must unify the discrete symbols or discrete symbol positions, not merely provide visual contrast therefore (i.e., "The advantage of this combination would be to stimulate players' interest in the game by providing a visual contrast" (page 11, numbered paragraph 25 of Office Action)). Examples of the claimed continuous graphical element are disclosed, for example, in FIGS. 3-8 of Applicant's application. FIGS. 3-6 shows "a plurality of discrete symbols 60 and a continuous graphical element 62 extending between adjacent ones of the discrete symbols 60 such that the discrete symbols 60 are unified by the graphical element 62"

(see par. [0014] of application). FIG. 7 shows another example of a continuous graphical element 70 formed by a plurality of spaces generally representative of a Monopoly™ board. FIG. 8 shows that, during the token race, each token 72 moves along the continuous graphical element 70 (e.g., Monopoly board path), between adjacent ones of the discrete Monopoly board spaces, as the associated reel is rotated. The “broadest reasonable interpretation” of the claims permitted by law must be consistent with “the interpretation that those skilled in the art would reach.” *In re Cortright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999). In this vein, “[c]laims are not to be read in a vacuum, and limitations therein *are to be interpreted in light of the specification in giving them their 'broadest reasonable interpretation'.*” *In re Marosi*, 710 F.2d 799, 802 (Fed. Cir. 1983)(italics added).

In view of the above, it is respectfully submitted that the Examiner has not set forth a *prima facie* case of obviousness for want of the requisite factual basis. The factual showing must be clear and particular. See, e.g., *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999); *CR. Bard, Inc. v. M3 Sys., Inc.*, 157 F.3d 1340, 1352 (Fed. Cir. 1998). It is submitted that the Examiner’s burden to set forth a *prima facie* case of obviousness has not been discharged for at least this reason. Reconsideration and withdrawal of this obviousness rejection of claims 1-4, 7-11, 14-19, 22-27 and 30-37 over **Davies** and **Walker** is requested at least upon this ground.

B. PROFFERED MOTIVATION TO MODIFY DAVIES IS LEGALLY INSUFFICIENT

The mere fact that a worker in the art could rearrange the parts of the reference device to meet the terms of the claims on appeal is not by itself sufficient to support a finding of obviousness. See, e.g., *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984). Instead, “[t]he prior art must provide a motivation or reason for the worker in the

art, without the benefit of appellant's specification, to make the necessary changes in the reference device." That which is or may be within the capabilities of one skilled in the art is not synonymous with obviousness. *Ex parte Gerlach*, 212 USPQ 471 (Bd. App. 1980).

Indeed, it is well settled that there must be some motivation that would have led one of ordinary skill in the art to combine references or modify references to arrive at the claimed invention. *See, e.g., B.F. Goodrich Co. v. Aircraft Breaking Sys. Corp.*, 72 F.3d 1577, 1582, 37 USPQ2d 1314, 1318 (Fed. Cir. 1996); *Al-site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308 (Fed. Cir. 1999); *In re Kotzab*, 217 F.3d 1365 (Fed. Cir. 2000). Thus, although a prior art device "may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so." *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990); *In re Fritch*, 972 F.2d at 1260 (Fed. Cir. 1992)).

The Examiner must show reasons why a skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed. *In re Rouffet*, 149 F.3d 1350, 1357 (Fed. Cir. 1998). Moreover, the showing must be clear and particular. *See, e.g., In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999); *C.R. Bard, Inc. v. M3 Sys., Inc.*, 157 F.3d 1340, 1352 (Fed. Cir. 1998). Broad conclusory statements, standing alone, are not "evidence" supportive of a *prima facie* showing. *McElmurry v. Arkansas Power & Light Co.*, 995 F.2d 1576, 1578 (Fed. Cir. 1993).

"The factual inquiry whether to combine references must be thorough and searching." *McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1351-52 (Fed. Cir. 2001). It must be based on objective evidence of record. *In re Sang-Su Lee*, 277 F.3d 1338, 1345-46 (Fed. Cir. 2001); *see*

also *In re Thrift*, 298 F.3d 1357, 1364, 63 USPQ2d 2002, 2006 (Fed. Cir. 2002). “A showing of a suggestion, teaching, or motivation to combine the prior art reference is an ‘essential component of an obviousness holding’” *Brown & Williamson Tobacco Corp. v. Phillip Morris, Inc.*, 229 F.3d 1120, 1124-25 (Fed. Cir. 2000); quoting *C.R. Bard, Inc. v. M3 Systems, Inc.*, 157 F.3d 1340, 1352 (Fed. Cir. 1998). The need for specificity pervades this authority. *In re Sang-Su Lee, supra*, citing *In re Kotzab*, 217 F.3d 1365, 1371 (Fed. Cir. 2000)(“particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed”).

The factual question of motivation is material to patentability cannot be dispensed with by a generalized assertion. In *In re Sang-Su Lee, supra*, the court admonished the Board of Patent Appeals and Interferences for failing to perform a “thorough and searching” factual inquiry in its reliance on the Examiner’s “conclusory statements,” emphasized that “determination of patentability must be based on evidence,” and stated that the board “cannot rely on conclusory statements when dealing with particular combinations of prior art and specific claims.”

In view of this overwhelming precedent setting forth the evidentiary requirements for setting forth a *prima facie* case of obviousness under 35 U.S.C. § 103(a), it is respectfully submitted that the Examiner’s stated motivation for combination of the references (*i.e.*, “[t]he continuous background would provide an appealing contrast without interfering with the players’ ability to clearly see the symbols”) is conclusory and fails to satisfy the evidentiary requirements required to establish a *prima facie* case of obviousness. There appears to be absolutely no teaching or suggestion in either **Davies** or in **Walker** to “improve contrast” or make a more

“appealing” contrast. Neither **Davies** nor **Walker** raises contrast as an issue. Moreover, the Examiner has failed to show that **Davies** or **Walker** teach or suggest reasons why a skilled artisan, confronted with the same problems as the inventor *and with no knowledge of the claimed invention*, would select the element from **Walker** for combination with the elements of **Davies** in the manner claimed. There is simply no cognizable suggestion or motivation in either reference to make the proffered combination.

The legal concept of *prima facie* obviousness is a procedural tool of patent examination, allocating the burdens of going forward with production of evidence in each step of the examination process (*citations omitted*)(*see, e.g.*, MPEP § 2142). The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. “If examination at the initial stage does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of the patent.” *In re Oetiker* 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Withdrawal of this rejection and allowance of claims 1-4, 7-11, 14-19, 22-27 and 30-37 is therefore requested for at least this reason.

C. THE REFERENCES FAIL TO SUGGEST “INVENTION AS A WHOLE”

In determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention *as a whole* would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530 (Fed. Cir. 1983). Distilling the invention down to the “gist” of an invention disregards the requirement of analyzing the subject matter “as a whole.”

“[A] patentable invention may lie in the discovery of the source of a problem even though the remedy may be obvious once the source of the problem is identified. This is part of the

‘subject matter as a whole’ which should always be considered in determining the obviousness of an invention under 35 U.S.C. § 103.” *In re Spinnoble*, 405 F.2d 578, 585 (CCPA 1969).

In the case at hand, the rejected claims relate to a wagering game machine which, for example (see numbered paragraph [0014]), has reels with a plurality of discrete symbols 60 and a continuous graphical element 62 extending between adjacent ones of the discrete symbols 60 such that the discrete symbols 60 are unified by the graphical element 62. The only teaching of this combination of elements is found within the Applicant’s disclosure. Both **Davies** and **Walker** appear devoid of any mention of such unification of discrete symbols by a graphical element. Any reliance on the Applicant’s disclosure to support the rejection is improper. “It is impermissible to use the claimed invention as an instruction manual or ‘template’ to piece together the teachings of the prior art so that the claimed invention is rendered obvious.” *In re Fritch*, 23 USPQ2d 1780 (Fed. Cir. 1992) (*see also In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

The rejection therefore fails, on its face, to provide a showing that the invention is taught or suggested by **Davies** or **Walker** and the level of skill in the art cannot be relied upon to provide the suggestion to combine references. *Al-site Corp. v. VSI Int’l Inc.*, 174 F.3d 1308 (Fed. Cir. 1999). It is submitted that the Examiner’s burden to set forth a *prima facie* case of obviousness has not been discharged for at least this reason. Reconsideration and withdrawal of this obviousness rejection of claims 1-4, 7-11, 14-19, 22-27 and 30-37 over **Davies** and **Walker** is requested at least upon this ground.

5. **THE 35 U.S.C. § 103 REJECTION OVER DAVIES AND WALKER**

Claims 5-6, 12-13, 20-21 and 28-29 are being rejected under 35 U.S.C. § 103(a) as being unpatentable over **Davies** in view of **Walker** and Demar et al. (U.S. 6,203,429) (hereinafter "**Demar**"). This rejection is respectfully traversed.

Claims 5-6, 12-13, 20-21 and 28-29 are asserted to be patentable over the combination of **Davies**, **Walker** and **Demar** for at least the reasons set forth above and such remarks are applied herein, but are not replicated for brevity. In view of the above, since **Davies** and **Walker** fail to teach or suggest each and every element of the invention of the base claims from which claims 5-6, 12-13, 20-21 and 28-29 depend and fail to teach or suggest the modification and/or combination proffered by the Examiner to arrive at these base claims, and since **Demar** has not been shown to cure the deficiencies of **Davies** and **Walker** in this regard, reconsideration and withdrawal of this obviousness rejection is requested at least upon the grounds presented above in numbered paragraph 4.

Demar is alleged to teach a "graphical element that is a train in the form of a game board path (300, Fig. 8; col. 12, Lines 29 to 34)" (*see* page 15, numbered paragraph 38 of Office Action). The Examiner concludes that "[i]t would be obvious to one of ordinary skill in the art to apply the trail of '429 to the combination of '936 and '921. . . . to enhance interest in the game by providing a consistent, predictable theme (in this case, a popular board game) for the continuous background" *Id.* However, there appears to be no teaching or suggestion, in any of **Davies**, **Walker** or **Demar**, of incorporating the board game 300 depicted in **Demar** (*i.e.*, the asserted continuous graphical element) into a reel, let alone for the purpose of, for example, unifying a plurality of discrete symbols associated therewith.

The Examiner's suggestion that "[t]he trail of '429 can be thought of as a loop, since it can be cycled through multiple times" and conclusion therefrom that "[i]t would thus be natural to apply the trail of '429 to one of the bands of '936 as the bands of '936 repeat multiple times" finds no basis or support in any of **Davies, Walker** or **Demar**. What is characterized by the Examiner as "natural" is anything but natural and has not been shown to be taught or suggested by any of the applied references.

A critical step in analyzing the patentability of claims pursuant to 35 U.S.C. § 103(a) is casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, *guided only by the prior art references and the then-accepted wisdom in the field*. See *In re Dembiczak*, 175 F.3d at 999, 50 USPQ2d at 1617. Applicant submits that the ease with which the Examiner arrives at the combination of elements, without any supporting suggestion for such modifications and combinations from the very references cited, is evidence that the Examiner failed to closely adhere to this methodology. The only teaching of this combination is found within the Applicant's disclosure. Any reliance on the Applicant's disclosure to support the rejection is improper. "It is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious." *In re Fritch*, 23 USPQ2d 1780 (Fed. Cir. 1992) (*see also In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991) *stating* "The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's disclosure."). See also *W.L. Gore & Assocs., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 313 (Fed. Cir. 1983).



Applicant submits that the Examiner has failed to set forth a *prima facie* case of obviousness under 35 U.S.C. § 103 for at least this reason. Withdrawal of this 35 U.S.C. § 103 rejection is requested for at least this reason.

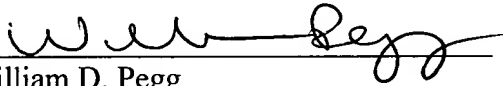
6. CONCLUSION

It is the Applicant's belief that all of the claims are patentable and are in condition for allowance, and action towards that end is respectfully requested.

No fees are believed necessary. Should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47079-00119USPT.

Respectfully submitted,

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